IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE.

WRIT PETITION NO. 3748 OF 2002

Vilas Prataprao Hire & anr. ..... Petitioner.

versus

Malegaon Municipal
Corporation and ors. ..... Respondents.

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Shri V.Z. Kankaria for the petitioner.
Shri S.R. Nargolkar for the State.

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CORAM ; V.G.PALSHIKAR &
MRS. RANJANA DESAI, JJ.

DATED; 31ST AUGUST, 2004.

P.C.;

1. By this petition, the petitioner seeks a mandamus directing the respondent State to acquire land for the purposes of burial ground of which possession is allegedly taken by the municipality.

2. The Asstt. Govt. Pleader today has filed a communication dated 16th July 2003 wherein it is categorically stated that no proposal for acquisition of land for this purpose is received from the Municipal Corporation, Malegaon and there is therefore no question of commencing any proceeding for that purpose. In view of this statement, there is no case for the petitioner for which a mandamus can issue. Hence petition dismissed.

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